

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF PUERTO RICO**

IN RE:

RIC F. MALIK,

Debtor

Case No. 23-03241-ESL7

Chapter 7

EARL GEERTGENS and TAMA GEERTGENS,

Plaintiffs,

v.

RIC F. MALIK,

Defendant.

Adversary Proceeding No. 24-00015-ESL

DEFENDANT RIC F. MALIKS INITIAL DISCLOSURES UNDER RULE 26(a)(1)

COMES NOW the Defendant, Ric F. Malik, pro se, and in compliance with the Courts Order and Notice of Preliminary Pretrial and Scheduling Conference (Dkt. #71), hereby submits the following initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1), as made applicable by Federal Rule of Bankruptcy Procedure 7026.

**1. Individuals Likely to Have Discoverable Information**

The following individuals are likely to have discoverable information that I may use to support my claims and defenses (excluding impeachment):

Ric F. Malik

756 Vieques, PR 00765

Pro se Debtor and Defendant

Knowledge regarding the events leading to the bankruptcy filing, communications with Plaintiffs, the Geertgen construction project, and post-petition conduct by Plaintiffs counsel.

Andrew Malik

c/o MC Remodeling, LLC

[Address withheld for privacy]

Has personal knowledge of MC Remodeling's clients allegedly contacted by Plaintiffs or their counsel, loss of business, bank account freeze, and harassment.

Karen Malik

**RECEIVED AND FILED**

**PRO SE UPLOAD TOOL**

**05/05/2024 - 04:01 PM**

**USBC**

**(WRT)**

[Address withheld for privacy]

Has personal knowledge of post-petition actions taken by Plaintiffs and their counsel that caused physical and emotional injury, including account freeze, home visits, and stress-related medical crisis.

Karen M. Murray, Esq.

8 East Main Street

Moorestown, NJ 08057

Possesses firsthand knowledge of legal filings and enforcement actions taken post-petition, including matters in the New Jersey Superior Court.

## 2. Documents and Evidence

The following categories of documents may be used to support the Debtors claims or defenses and are either already in my possession or will be made available for inspection:

Bankruptcy petition and Form 309A (Notice of Chapter 7 Case)

Copies of certified mail receipts sent to Plaintiffs and their counsel

Medical records of Karen Malik (to be filed under seal or submitted separately)

Affidavits of Ric Malik, Andrew Malik, and Karen Malik

Communications and filings from NJ state case BUR-L-1741-23

Banking records showing post-petition account freezes

Evidence log of post-petition filings by Karen Murray in state court

Photos of alleged harassment or surveillance by Plaintiff or associates

MC Remodeling LLC bank deposits

Construction contracts, invoices, or payment records related to the Geertgens project (20142015)

Correspondence or communications between Ric Malik and Plaintiffs prior to and after filing

Master Exhibit List filed April 21, 2025 (incorporated by reference)

## 3. Computation of Damages

At this time, Defendant seeks:

Actual damages:

\$5,147.86 Andrew Malik account freeze

\$3,610.00 + \$3,203.62 = \$6,813.62 Clients refusal to pay after receiving subpoenas

\$100.00 Karen Malik account freeze

\$178,392.29 Loss of business revenue incurred by MC Remodeling, LLC as a direct result of client withdrawals, legal intimidation, and reputational harm tied to actions of Plaintiffs and their attorney

Medical costs, lost income, business impact to be itemized at a later stage

Emotional distress damages for physical and mental suffering sustained by Karen Malik and the Debtor's

family due to willful violations of the automatic stay

Punitive damages under 11 U.S.C. 362(k) for egregious and repeated violations of the stay

Costs and litigation expenses, to be documented through future filings

#### 4. Insurance Agreements

The Defendant is unaware of any insurance agreement under which an insurance company may be liable to satisfy part or all of a judgment that may be entered in this action.

#### 5. Supplementation

The Defendant reserves the right to supplement these disclosures in accordance with Rule 26(e) as discovery progresses and additional information becomes available.

#### 6. Objections

Nothing herein shall be construed as a waiver of any applicable objection under the Federal Rules of Evidence or Federal Rules of Civil Procedure, including objections to admissibility, relevance, or privilege.

Respectfully submitted,

In Vieques, Puerto Rico, this 5th day of May, 2025.

/s/ Ric F. Malik

Ric F. Malik, Pro Se Defendant

756 Vieques, PR 00765

Email: ricmalik3@gmail.com

Phone: 787-530-7799

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 5th day of May, 2025, I served a true and correct copy of the foregoing Initial Disclosures Under Rule 26(a)(1) via email and/or CM/ECF upon the following parties:

Warren M. Wolf, Esq.

Goldberg & Wolf, LLC

1949 Berlin Rd, Suite 201

Cherry Hill, NJ 08003

Email: wwolf@goldbergandwolf.com

Wigberto Lugo-Mender, Esq. Chapter 7 Trustee

100 Carr 165, Ste 501

Guaynabo, PR 00968-8052

Email: trustee@lugomender.com

Office of the United States Trustee

Ochoa Building

500 Tanca Street, Suite 301

San Juan, PR 00901-1922

Email: ustpregion21.hr.ecf@usdoj.gov

/s/ Ric F. Malik

Ric F. Malik, Pro Se Defendant

756 Vieques, PR 00765

Email: ricmalik3@gmail.com

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